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May 21, 2013

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**MEMO ENDORSED**

**BY HAND**

Hon. Frank Maas  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

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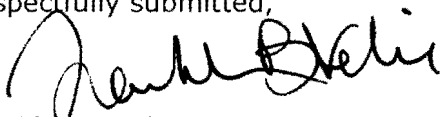
Re: Sekisui America Co., Ltd v. Hart, No. 12-CIV-3479

Dear Judge Maas:

We represent Defendants Richard Hart and Marie Louise Trudel-Hart (the "Harts") in the above-referenced action. We write regarding the Harts' pending motion for sanctions. When we submitted the Harts' motion and subsequent letter briefing, we neglected to request a tolling of the discovery period. We regret the error and now request that discovery in this matter be tolled until the pending motion is decided. We request the stay as discovery may be curtailed, or may not be needed following disposition of the pending motion. As the Harts are individuals without the resources of a multinational pharmaceutical company such as Plaintiffs, they do not wish to undertake expensive discovery that may prove to be unnecessary. We have consulted with Plaintiffs' counsel and they have refused to consent to this application.

As ordered by Judge Scheindlin, fact discovery is scheduled to be completed by June 28, 2013. We understand that this application may more properly be made to Judge Scheindlin and will submit it to Judge Scheindlin if the Court prefers.

Respectfully submitted,

  
Franklin B. Velie

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cc: Karen L. Hagberg, Esq.  
Craig B. Whitney, Esq.

I expect to issue my  
decision this week; any  
scheduled issues should be taken  
up with Judge Scheindlin.  
Fdlas, USMS,  
6/3/13.